

(As of February 20, 2001)

**Section 5-106. Vacancy in Office --**

1. A vacancy in the office of mayor caused by death, resignation, removal or disqualification to hold office shall be filled as follows:

(a) If the unexpired term is for less than one year, the council shall, by a majority vote of all of its members, elect one of its members to be mayor for the unexpired term, and a vacancy shall thereupon exist in the council.

(b) If the unexpired term is for one year or more, the vacancy shall be filled by a special election to be called by the council within ten days and to be held within sixty days after the occurrence of the vacancy. The electors of the city shall then elect a successor with requisite qualifications to fill the vacancy for the remainder of the term. If any special or general election is to be held in the city after thirty days and within one hundred eighty days after the occurrence of the vacancy, then the election is to be held in conjunction with such other election.

2. Pending the election of a mayor in case of a vacancy or in the temporary absence of the mayor from the state or temporary disability of the mayor, the managing director shall act as mayor. If there is no managing director or if the managing director is unable to act, the director of budget and fiscal services shall then act as mayor. (*Reso. 83-357 and 84-197; 1998 General Election Charter Amendment Question No. 2(III); 1998 General Election Charter Amendment Question No. 3(II), section and subsequent section renumbered*)